

2005 DRAFTING REQUEST

Bill

Received: **12/02/2004**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Statz**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **Courts - costs and fees**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Statz, BB0291 -

Topic:

Justice information system surcharge increase

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 12/03/2004	jdyer 12/04/2004	jfrantze 12/06/2004	_____	sbasford 12/06/2004		State

FE Sent For:

<END>

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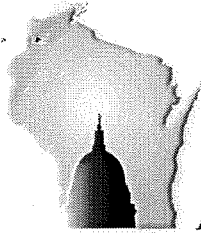
<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman	<i>p1 12/4 jw</i>	<i>[Signature] 12/6</i>	<i>[Signature] 12/6</i>			State

FE Sent For:

<END>

2005-07 Budget Bill Statutory Language Drafting Request

- Topic: Justice information fee increase
- Tracking Code: BB 0291
- SBO team: T&J
- SBO analyst: Andrew J. Statz
 - Phone: 266-7329
 - Email: andrew.statz@doa.state.wi.us
- Agency acronym: DA's
- Agency number: 475



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

MARC J. MAROTTA
SECRETARY

Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: November 30, 2004

To: Steve Miller, Chief
Legislative Reference Bureau

From: Andrew J. Statz, Analyst *AS*
State Budget Office

Subject: Budget draft request relating to the justice information fee

I am requesting statutory language be drafted for inclusion with the 2005-07 biennial budget bill. The draft will increase the justice information fee under s. 814.86 from \$9 to \$12.

The new split will be \$5 to s. 20.505(1)(ja), \$6 to s. 20.680(6)(j) and \$1 to the general fund.

2/9 *4/9* *2*

If you have any questions, please contact me at 266-7329 or andrew.statz@doa.state.wi.us.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1118/P1

CMH:.....

jld

SOON

system
surcharge

DOA:.....Statz, BB0291 - Justice information fee increase

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE ✓

CIRCUIT COURTS ✓

Under current law, the clerk of circuit court must charge a justice information system fee from persons who must pay certain other specified fees such as fees for the commencement of a civil action, for a third-party complaint, for an appeal from a municipal court or for review of an administrative decision, or for a garnishment, wage earner, small claims, or forfeiture action. Under current law the fee is \$9, two-ninths of which is credited to a state program revenue appropriation for the development and operation of automated justice information systems and six-ninths of which is credited to a state program revenue appropriation for the operation of circuit court automated information systems. ✓

This bill increases the fee to \$12, five-twelfths of which is credited to the state program revenue appropriation for the development and operation of automated justice information systems and one-half of which is credited to the state program revenue appropriation for the operation of circuit court automated information systems. ✓

surcharge ✓

surcharge

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.505 (1) (ja) of the statutes is amended to read:

20.505 (1) (ja) *Justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). ~~Two-ninths~~ Five-twelfths of the moneys received under s. 814.86 (1) shall be credited to this appropriation account.

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104, 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 s. 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 326.

SECTION 2. 20.680 (2) (j) of the statutes is amended to read:

20.680 (2) (j) *Court information systems.* All moneys received under ss. 814.61, 814.62, and 814.63 that are required to be credited to this appropriation account under those sections and ~~six-ninths~~ one-half of the moneys received under s. 814.86 (1) for the operation of circuit court automated information systems under s. 758.19 (4).

History: 1971 c. 125, 215; 1971 c. 254 s. 19; 1973 c. 90; 1975 c. 37; 1977 c. 26, 29; 1977 c. 187 s. 135; 1977 c. 418; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 34; 1981 c. 20; 1983 a. 27, 158; 1985 a. 29, 340; 1987 a. 27, 399; 1989 a. 31; 1991 a. 32, 39, 269; 1993 a. 16, 491; 1995 a. 27; 1997 a. 9; 2001 a. 16, 103, 105; 2003 a. 33, 139.

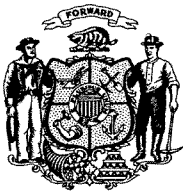
SECTION 3. 814.86 (1) of the statutes is amended to read:

814.86 (1) Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$9 ~~\$12~~ justice information system surcharge from any person, including any governmental unit, as defined in s. 108.02 (17), paying a fee

- 1 under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1).
2 The justice information system surcharge is in addition to the surcharge listed in
3 sub. (1m).

4 **History:** 1987 a. 27; 1989 a. 22; 1991 a. 26, 39; 1993 a. 16; 1995 a. 27, 201; 1997 a. 27; 1999 a. 9; 2003 a. 30, 33; 2003 a. 139 s. 201; Stats. 2003 s. 814.86; 2003 a. 326.

(END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-1118/P1
CMH:jld:jf

DOA:.....Statz, BB0291 - Justice information system surcharge increase

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

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9 under those sections and ~~six-ninths~~ one-half of the moneys received under s. 814.86
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17 court shall charge and collect a \$9 \$12 justice information system surcharge from any
18 person, including any governmental unit, as defined in s. 108.02 (17), paying a fee
19 under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1).

3 (END)